

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

INFERNAL TECHNOLOGY, LLC,  
TERMINAL REALITY, INC.,

*Plaintiffs,*

V.

SONY INTERACTIVE ENTERTAINMENT  
LLC,

*Defendant.*

[illegible]

CIVIL ACTION NO. 2:19-CV-00248-JRG

## ORDER


Before the Court is the Joint Stipulation of the Parties Regarding Use of Depositions of Fact Witnesses from Prior Proceedings During Trial of This Case (the “Stipulation”). (Dkt. No. 279). In the same, the Plaintiffs Infernal Technology, LLC and Terminal Reality, Inc. (“Plaintiffs”) and Defendant Sony Interactive Entertainment LLC (“SIE”) (together with Plaintiffs, the “Parties”) stipulate as follows:

1. The Parties agree that the depositions identified below that were taken in prior litigation may be used as if taken in this case, including by playing video of the deposition or reading the deposition transcript into the record at trial:
- Joe Kreiner (August 29, 2019 Deposition, taken in *Infernal Technology, LLC, et al. v. Crytek GmbH*, Case No. 2:18-cv-284-JRG (E.D. Tex.)).
  - John O’Keefe (August 23, 2019 Deposition, taken in *Infernal Technology, LLC, et al. v. Crytek GmbH*, Case No. 2:18-cv-284-JRG (E.D. Tex.); and October 6, 2016 Deposition taken in *Infernal Technology, LLC, et al. v. Electronic Arts Inc.*, Case No. 2:15-cv-1523-JRG (E.D. Tex.)).

2. The Parties agree that the depositions of the individuals identified above may only be used at trial as provided for in the Joint Pretrial Order (Dkt. No. 252), and subject to the Federal Rules of Evidence.
3. The Parties will treat the above-identified depositions as if taken in this case and will not reference the proceeding in which the depositions were taken at trial.

Having considered the above Stipulation, the Court is of the opinion that the same should be and hereby is **ACCEPTED** and **ENTERED**.

**So ORDERED and SIGNED this 25th day of February, 2021.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE